

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE  
LITIGATION

MDL. No. 1456

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

THIS DOCUMENT RELATES TO ALL  
ACTIONS

**CLASS PLAINTIFFS' AND TRACK 1 DEFENDANTS' JOINT REQUEST FOR  
EXTENSION OF TIME TO SUBMIT PROPOSED FORM OF CLASS NOTICE**

Class Plaintiffs and Track I Defendants hereby request an extension of time to submit proposed forms of notice to the class. The parties request that the Court grant an extension until Wednesday, June 21, 2006 for the parties to make such submissions to the Court.

The Court held a hearing on June 5, 2006 concerning the form and manner of notice to class members. At the June 5 hearing, among other things, the Court instructed the parties to meet and confer in order and to present the Court with forms of notice that were acceptable to all parties, or in the alternative, to present the Court with alternative proposals from both the Plaintiffs and Defendants. The Court instructed the parties to file something seven days in advance of the June 26, 2003 hearing, or June 19, 2006.

The parties have exchanged drafts of each of the notices and are in the process of conferring in order to present the Court with as few differences in the form of notice as possible.

The parties hereby request an extension of the time to file with the Court until Wednesday June 21, 2006 to accomplish this goal.

DATED: June 19, 2006

By /s/ Thomas M. Sobol

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**CERTIFICATE OF SERVICE BY LEXISNEXIS FILE & SERVE**

Docket No. MDL 1456

I, Edward Notargiacomo, hereby certify that I am one of plaintiffs' attorneys and that, on June 19, 2006, I caused copies of **Class Plaintiffs' and Track 1 Defendants' Joint Request for Extension of Time to Submit Proposed Form of Class Notice** to be served on all counsel of record by causing same to be posted electronically via Lexis-Nexis File & Serve.

/s/ Edward Notargiacomo

Edward Notargiacomo